

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *JF* D.C.
MAY 27 PM 3:51
NO. 02-2947BV
CLEVELAND, TENN.
W.D. OF TN. MEMPHIS

LOUIS BROGDON,)
vs. Plaintiff,)
HARRY SIMS and JIM SMITH,)
Defendants.)
No. 02-2947BV

ORDER AWARDING EXPENSES AND CONDITIONING SETTLEMENT CONFERENCE
ON PAYMENT OF EXPENSES

By order dated March 8, 2005, Judge J. Daniel Breen directed that the defendants, Harry Sims and Jim Smith, should be awarded the expenses which they have incurred by reason of their unsuccessful trip to Memphis in February 11, 2005, for the purpose of a settlement conference. Before the court is the letter of Jim Smith, dated May 18, 2005, and the letter of Harry Sims dated March 20, 2005, in compliance with the court's March 8, 2005 order granting expenses.

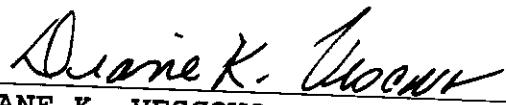
The letter of Jim Smith sets forth lost wages of 6.5 hours at the rate of \$30 per hour and mileage of 172 miles at \$.405 per mile, for a total of \$264.66. The letter of Harry Sims sets forth mileage of 240 miles at \$.405 per mile and meal expense of \$8.00 for a total of \$105.20. The court finds the expenses and mileage

(10)

claimed by each to be reasonable.

IT IS THEREFORE ORDERED that plaintiff, Louis Brogdon, pay Jim Smith \$264.66 and Harry Sims \$105.20 within thirty days of the date of this order for expenses incurred in attending the settlement conference on February 11, 2005. The plaintiff is further directed to certify to the court that the payments were timely made. If the payments are timely made, the court will then schedule this matter for a settlement conference. Failure to make timely payments will result in the dismissal of this lawsuit.

This 27th day of May, 2005.


Diane K. Vescovo
DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 110 in case 2:02-CV-02947 was distributed by fax, mail, or direct printing on June 2, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT